

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

CHARLENE M. MCINTOSH,)	
)	
Plaintiff,)	
)	
vs.)	Case No. CIV-04-1298-F
)	
JO ANNE B. BARNHART,)	
Commissioner of the Social Security)	
Administration,)	
)	
Defendant.)	

ORDER

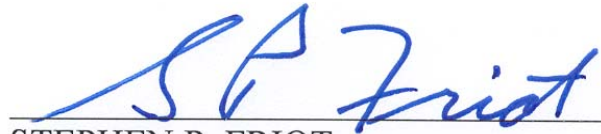
In this action plaintiff seeks judicial review of the final decision by the defendant Commissioner denying plaintiff's application for disability insurance benefits and supplemental security income benefits. *See*, 42 U.S.C. § 405(g). On July 28, 2005, Magistrate Judge Valerie K. Couch issued a Report and Recommendation (docket entry no. 17), recommending that the Commissioner's decision be reversed and remanded for further proceedings consistent with the Report and Recommendation.

The magistrate judge further advised the parties of their right to object to the report by August 17, 2005, and of the fact that failure to make timely objection waives the right to appellate review of the factual and legal issues addressed in the Report and Recommendation. Neither party has filed any objection to the Report, and neither party has requested an extension of time within which to file any objection.

With no objection being filed, and having reviewed the Report, the record, and the relevant arguments and authorities, the court **ACCEPTS** and **AFFIRMS** the magistrate judge's Report in its entirety. This matter is hereby **REVERSED** and

REMANDED to the Commissioner for further proceedings consistent with the magistrate judge's Report and Recommendation.

Dated this 18th day of August, 2005.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

04-1298p002(pub).wpd